

07-30-01

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JC796 U.S. PTO  
07/27/01

PATENT  
Attorney Docket No. 403

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAIL (37 CFR § 1.10)

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE, EXPRESS MAIL POST OFFICE TO ADDRESSEE" UNDER 37 CFR § 1.10, BEARING EXPRESS MAIL LABEL NO. EE617837426US, ON THIS 27TH DAY OF JULY, 2001, AND IS ADDRESSED TO: COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

James M. Olsen  
(Printed name of person mailing paper)

*James M. Olsen*  
(Signature of person mailing paper)

J1046 U.S. PTO  
09/916364  
07/27/01

In re Application of:

Gary GEHRKE

Serial No.: Unassigned

Group Art Unit: Unassigned

Filed: July 27, 2001

Examiner: Unassigned

For: FIBER OPTIC CABLE MANAGEMENT  
SYSTEM

Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

UTILITY PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. § 1.53(b)

APPLICATION ELEMENTS

1. ☒ Fee Transmittal Form (*Submit an original, and a duplicate for fee processing*)
2. ☒ Specification [21 Total Pages]
3. ☒ Drawings (35 U.S.C. § 113) [Total Sheets 5]
4. ☒ Combined Declaration and Power of Attorney [Total Pages 2]
  - a. ☒ Newly executed (original)
  - b. ☐ Copy from prior application (37 C.F.R. § 1.63(d))

00046364-032001

(for continuation/divisional with Box 17 completed)

[Note Box 5 below]

i. ☐ DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d) and 1.33(b).

5. ☐ Incorporation By Reference (*usable if Box 4b is checked*)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Microfiche Computer Program (*Appendix*)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)
- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

8. ☒ Assignment Papers (cover sheet & document(s)) [Total Pages 2]
9. ☐ 37 C.F.R. § 3.73(b) Statement  
(*when there is an assignee*)
10. ☐ English Translation Document (*if applicable*)
11. ☐ Information Disclosure Statement (IDS) / PTO-1449 ☐ Copies of IDS citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (*Should be specifically itemized*)
14. ☐ Small Entity Statement(s) ☐ Statement filed in prior application, status still proper and desired
15. ☒ Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i) (Request for Nonpublication of Application)

16. CORRESPONDENCE ADDRESS

☐ *Customer Number or Bar Code Label*

*(Insert Customer No. or Attach bar  
code label here)*

*or*

☒ *Please address all correspondence to address below*

CIENA Corporation  
Legal Department  
1201 Winterson Road  
Linthicum, MD 21090  
Phone: 410-865-8500  
Fax: 410-865-8100

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 03-2775. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

CONNOLLY BOVE LODGE & HUTZ LLP

Dated: July 27, 2001

By: \_\_\_\_\_

*James M. Olsen*  
James M. Olsen  
Reg. No. 40,408

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SYSTEM

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Box Patent Application  
Washington, D.C. 20231

Sir:

**FEE TRANSMITTAL LETTER**

Enclosed is a new patent application. The items checked below are appropriate:

[X] The claims are calculated below, as amended in the Preliminary Amendment filed herewith:

	Number Filed		Number Extra	Rate	Basic Fee \$710.00
Total Claims	16	- 20 =	0	x \$18.00	\$ 0.00
Independent Claims	5	- 3 =	2	x \$80.00	\$160.00
Multiple Dep. Claims				+ \$270.00	

Total +	\$870.00
Reduction by ½ for filing by small entity	- \$ .00
<b>TOTAL FILING FEE</b>	<b>\$870.00</b>

[X] A check for \$910.00 to cover the filing fee and the \$40.00 assignment recordation fee is enclosed.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 03-2775. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

CONNOLLY BOVE LODGE & HUTZ LLP

Dated: July 27, 2001

By: James M. Olsen  
James M. Olsen  
Reg. No. 40,408

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Washington, D.C. 20231

Sir:

**REQUEST AND CERTIFICATION UNDER 35 U.S.C. § 122(b)(2)(B)(i)**

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

This request is signed in compliance with 37 C.F.R. § 1.33(b) and is submitted with the application **upon filing**.

Applicants may rescind this nonpublication request at any time. If Applicants rescind a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If Applicants subsequently file an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the Applicants **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 03-2775. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

CONNOLLY BOVE LODGE & HUTZ LLP

Dated: July 27, 2001

By: 

James M. Olsen  
Reg. No. 40,408